



Louisiana Housing Finance Agency

The following resolution was offered by Vice-Chair Allison A. Jones and seconded by Commissioner Elsenia Young:

RESOLUTION

A resolution strongly encouraging the Governor to sign the amendment to the 2007/08 QAP and to sign the 2009 QAP, which would permit the final award of the Calendar Year 2009 Housing Ceiling to certain residential rental facilities and permit the award of Tax Credit Assistance Program Funds ("TCAP Funds") to certain of such residential rental facilities that have received awards of tax credits under the 2009 Qualified Allocation Plan by not later than September 30, 2009; and providing for other matters in connection therewith.

WHEREAS, the Louisiana Housing Finance Agency (the "Agency" or "LHFA") has been ordered and directed to act on behalf of the State of Louisiana (the "State") in allocating and administering programs and/or resources made available pursuant to the Section 42 of the Internal Revenue Code (the "LIHTC Program"); and

WHEREAS, Title XII of the American Recovery and Reinvestment Act of 2009 (the Recovery Act) appropriated \$2.250 billion under the HOME Investment Partnerships (HOME) Program heading for a grant program to state housing credit agencies to facilitate development of LIHTC projects to be completed by February 16, 2012 by providing funds for capital investments in such LIHTC projects; and

WHEREAS, the Agency has executed a *Tax Credit Assistance Program (TCAP) Grant Agreements* (HUD Form 40092), which obligated \$39,383,397 (the "TCAP Grant") to the Agency; and

WHEREAS, the Recovery Act specifically requires that the Agency (i) commit not less than 75% of the TCAP Grant within one year of the enactment of the Recovery Act (i.e., by February 16, 2010), (ii) demonstrate that all project owners have expended 75% of the TCAP Grant within two years of the enactment of the Recovery Act ((i.e., by February 16, 2011) and (iii) expend 100% of the TCAP Grant within three years of the enactment of the Recovery Act (i.e., February 16, 2012); and

WHEREAS, the Recovery Act requires TCAP Funds (i) to be awarded only to projects that receive an award of low-income housing tax credits pursuant to Qualified Allocation Plans and (ii) to projects receiving an award of tax credits between October 1, 2006 and September 30, 2009; and

WHEREAS, Tax Credits under the 2009 housing credit ceiling may only be awarded pursuant to a 2009 QAP that is signed by either the Governor, the Louisiana Attorney General or the Louisiana Legislature; and

WHEREAS, failure to execute the 2009 QAP jeopardizes a portion of the TCAP awards that have been made available by the agency; and

WHEREAS, the Agency approved certain application and other forms, documents and proceedings related to the LIHTC Program; and

WHEREAS, the Agency has solicited applications for awards of housing credit dollar amounts under the 2007/2008 calendar year qualified allocation plan, as amended and the 2009 calendar year qualified allocation plan ("2007/08 QAP" and "2009 QAP", respectively); and

WHEREAS, the staff of the Agency has processed applications in accordance with the Implementation Guidelines and is prepared, based upon the preliminary feasibility analysis of Foley & Judell, L.L.P., to recommend awards of housing credit dollar amounts under the 2007/08 QAP and the 2009 QAP for a number of residential rental projects; and

WHEREAS, at its March 11, 2009 meeting, the LHFA Board of Commissioners ("BOC") passed a resolution agreeing to apply for the and take the steps necessary allow the state to take advantage of the one-time stimulus opportunity for TCAP funding; and

WHEREAS, on March 26, 2009 a public hearing was held to obtain comments from the public about a proposed stimulus round of funding relative to the TCAP stimulus funds; and

WHEREAS, on April 6, 2009 the Board approved the language for the TCAP stimulus round, in the form of the 2007/08 QAP amendment; and

WHEREAS, on May 13, 2009, the Board approved the 2009 QAP which allows for the TCAP 2009 stimulus round; and

WHEREAS, on June 3, 2009, the LHFA staff first requested the signature of the Governor for the 2007/08 QAP amendment and the 2009 QAP; and

WHEREAS, on June 29th, the agency held a second public hearing on the proposed TCAP plan; and

WHEREAS, between February and June, the agency worked to with HUD and NCSHA to establish a program that would meet the requirements of HUD and meet the housing needs of the state, which culminated in a July 13th TCAP Plan Submission to HUD that was finally approved on July 23rd; and

WHEREAS, on July 1, 2009, forty-two (42) applications for TCAP funds under the 2007/08 QAP as amended were received to complete affordable housing development through the TCAP Program; and

WHEREAS, on July 6, 2009, sixty (60) applications for low income housing credits and TCAP funds under the 2009 QAP were received; and

WHEREAS, on July 23, 2009, HUD finally approved Louisiana's TCAP Plan; and

WHEREAS, on August 12, 2009, TCAP funds were awarded under the 2007/08 QAP as proposed to be amended by the amendment awaiting the signature of the Governor; and

WHEREAS, on September 9, 2009, the Housing Credit Ceiling and TCAP Funds were preliminarily awarded under the 2009 QAP subject to the Governor's signature of the 2009 QAP; and

WHEREAS, without an amendment of the 2007/08 QAP and the 2009 QAP being executed by the Governor, the award of tax credits under the 2009 QAP and the award of TCAP funds under the 2007/08 QAP and 2009 QAP cannot be finalized, which means that over \$114 million of 1602 Exchange funds and \$39 million of Tax Credit Assistance Program Funds are at risk of not meeting federally imposed use of funding and completion schedules, as the 2009 tax credits must be awarded by September 30, 2009 in order to qualify affordable housing developments under the amended 2007/08 QAP and the 2009 QAP for TCAP Funds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Louisiana Housing Finance Agency (the "Board"), acting as the governing authority of said Agency, strongly encourages the Governor to approve and execute the 2007/08 amendment to the QAP and the 2009 QAP in order to permit TCAP funds to projects successfully competing for credits under the 2009 QAP which also requires TCAP funds to be feasible and viable so that the affordable housing needed in the state can be constructed.

This resolution having been submitted to a vote, the vote thereon was as follows:

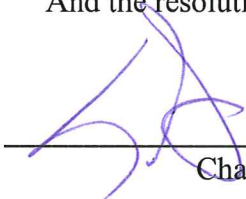
YEAS: Wayne E. Woods, Allison A. Jones, Guy T. Williams, Mayson H. Foster, Michael L. Airhart, Walter O. Guillory, Joseph Scontrino, III, Katie Anderson, Elsenia Young, Neal Miller

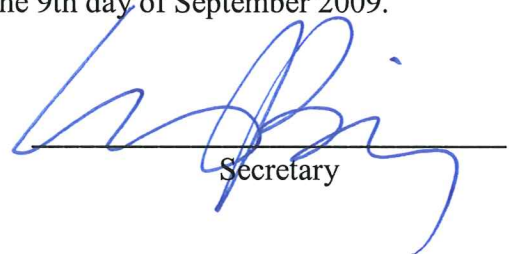
ABSTAIN:

NAYS:

ABSENT: John Kennedy, J. Mark Madderra, Tyrone A. Wilson, Susan Sonnier, Jerome Boykin, Sr.

And the resolution was declared adopted on this, the 9th day of September 2009.


Chairman


Secretary

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

I, the undersigned Secretary of the Board of Commissioners of the Louisiana Housing Finance Agency (the "Agency"), do hereby certify that the foregoing three (3) pages constitute a true and correct copy of a resolution adopted by said Board of Commissioners on September 9, 2009, entitled: "A resolution strongly encouraging the Governor to sign the amendment to the 2007/08 QAP and to sign the 2009 QAP, which would permit the final award of the Calendar Year 2009 Housing Ceiling to certain residential rental facilities and permit the award of Tax Credit Assistance Program Funds ("TCAP Funds") to certain of such residential rental facilities that have received awards of tax credits under the 2009 Qualified Allocation Plan by not later than September 30, 2009; and providing for other matters in connection therewith."

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Agency on this, the 9th day of September, 2009.



Secretary

(SEAL)